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CHICAGO, IL 60606

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OFFICE OF PETITIONS

In re Application of :
Masatomo Shibata et al :
Application No. 10/519,152 :
Filed: August 10, 2005 :
Attorney Docket No. PHCF-03037US :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 28, 2008 to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement mailed September 11, 2007 which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on October 12, 2007.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$1050 extension of time submitted with the petition on April 28, 2008 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credit to petitioner's credit card.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (571) 272-3210. This matter is being referred to Technology Center AU 2812 for further processing.


Irvin Dingle
Petitions Examiner
Office of Petitions



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/519,152	08/10/2005	Masatomo Shibata	PHCF-03037US

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CONFIRMATION NO. 5477
POA ACCEPTANCE LETTER



OC000000031398601

Date Mailed: 08/06/2008

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 04/28/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/idingle/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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